



DEPARTMENT OF COMMERCE

International Trade Administration

[A-433-813]

Strontium Chromate from Austria: Preliminary Results of Antidumping Duty Administrative Review; 2020-2021

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily finds that strontium chromate from Austria produced and/or exported by Habich GmbH (Habich) was not sold in the United States at less than normal value (NV) during the period of review (POR) of November 1, 2020, through October 31, 2021.

DATES: Applicable [Insert Date of Publication in the *Federal Register*].

FOR FURTHER INFORMATION CONTACT: Jaron Moore or Brian Smith, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3640 or (202) 482-1766, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 27, 2019, Commerce published the antidumping duty order on strontium chromate from Austria.¹ On December 28, 2021, in accordance with 19 CFR 351.221(c)(1)(i), Commerce initiated an administrative review of the *Order*, covering one company, Habich.²

¹ See *Strontium Chromate from Austria and France: Antidumping Duty Orders*, 84 FR 65349 (November 27, 2019) (*Order*).

² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 86 FR 73734 (December 28, 2021).

On July 19, 2022, we extended the deadline for the preliminary results of this review until November 30, 2022.³ For a detailed description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.⁴

Scope of the *Order*

The merchandise covered by the *Order* is strontium chromate from Austria. The merchandise subject to review is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under subheading 2841.50.9100. Subject merchandise may also enter under HTSUS subheading 3212.90.0050. For a complete description of the scope of the *Order*, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this administrative review in accordance with section 751(a)(1) and (2) of the Tariff Act of 1930, as amended (the Act). Constructed export price and export price were calculated in accordance with section 772 of the Act. Normal value was calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. A list of topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Preliminary Results of Review

³ *See* Memorandum, "Extension of Deadline for Preliminary Results of 2020-2021 Antidumping Duty Administrative Review," dated July 19, 2022.

⁴ *See* Memorandum, "Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: Strontium Chromate from Austria, 2020-2021," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Commerce preliminarily determines that the following weighted-average dumping margin exists for the period November 1, 2020, through October 31, 2021:

Producer and/or Exporter	Weighted-Average Dumping Margin (percent)
Habich GmbH	0.00 (<i>de minimis</i>)

Assessment Rates

Upon completion of the administrative review, Commerce shall determine, and U.S Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. If Habich's weighted-average dumping margin is not zero or *de minimis* (*i.e.*, less than 0.5 percent) in the final results of this review and where Habich reported entered values, we will calculate importer-specific *ad valorem* assessment rates for the merchandise based on the ratio of the total amount of dumping calculated for the examined sales made during the POR to each importer and the total entered value of those same sales, in accordance with 19 CFR 351.212(b)(1). Where Habich has not reported entered values for all sales to a particular importer, we will calculate a per-unit assessment rate for each importer by dividing the total amount of dumping calculated for the examined sales made to that importer by the total quantity associated with those transactions. To determine whether an importer-specific, per-unit assessment rate is *de minimis*, in accordance with 19 CFR 351.106(c)(2), we also will calculate an importer-specific *ad valorem* ratio based on estimated entered values. Where either Habich's weighted-average dumping margin is zero or *de minimis* or an importer-specific assessment rate is zero or *de minimis*, we intend to instruct CBP to liquidate appropriate entries without regard to antidumping duties.”⁵

In accordance with Commerce's “automatic assessment” practice, for entries of subject merchandise during the POR produced by Habich for which it did not know that the merchandise

⁵ See *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification*, 77 FR 8101, 8102 (February 14, 2012).

was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.⁶

We intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the *Federal Register*. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future cash deposits of estimated antidumping duties, where applicable.⁷

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Habich will be equal to the weighted-average dumping margin established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis*, in which case the cash deposit rate will be zero; (2) for previously reviewed or investigated companies not covered in this review, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which the company was examined; (3) if the exporter is not a firm covered in this review or another completed segment of this proceeding, but the producer is, the cash deposit rate will be the company-specific rate established for the most recently-completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be 25.90 percent, the all-others rate established

⁶ For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

⁷ See section 751(a)(2)(C) of the Act.

in the less-than-fair-value investigation.⁸ These cash deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure and Public Comment

We intend to disclose the calculations performed for these preliminary results of review to interested parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Interested parties may submit case briefs no later than 30 days after the date of publication of this notice.⁹ Rebuttal briefs, the content of which is limited to issues raised in the case briefs, may be filed no later than seven days after the date for filing case briefs.¹⁰ Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.¹¹

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via Commerce's electronic records system, ACCESS, within 30 days after the date of publication of this notice.¹² Requests should contain: (1) the party's name, address and telephone number; (2) the number of participants; (3) whether any participant is a foreign national; and (4) a list of issues parties intend to discuss. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. If a request for a hearing is made, Commerce intends to hold a hearing at a time and date to be determined.¹³ Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

⁸ See *Order*.

⁹ See 19 CFR 351.309(c)(1)(ii).

¹⁰ See 19 CFR 351.309(d)(1) and (2); *see also Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 17006 (March 26, 2020) ("To provide adequate time for release of case briefs via ACCESS, E&C intends to schedule the due date for all rebuttal briefs to be 7 days after case briefs are filed (while these modifications remain in effect).").

¹¹ See 19 CFR 351.309(c)(2) and (d)(2).

¹² See 19 CFR 351.310(c).

¹³ See 19 CFR 351.310(d).

All submissions to Commerce must be filed using ACCESS¹⁴ and must be served on interested parties.¹⁵ An electronically filed document must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5:00 p.m. Eastern Time on the date that the document is due. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.¹⁶

Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any case or rebuttal briefs, no later than 120 days after the date of publication of this notice, unless this deadline is extended.¹⁷

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

These preliminary results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: November 25, 2022.

Abdelali Elouaradia,
Deputy Assistant Secretary
for Enforcement and Compliance.

¹⁴ See 19 CFR 351.303.

¹⁵ See 19 CFR 351.303(f).

¹⁶ See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID 19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

¹⁷ See section 751(a)(3)(A) of the Act; and 19 CFR 351.213(h)(1).

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Discussion of the Methodology
- V. Currency Conversion
- VI. Recommendation

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